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NOV 21 2006

OFFICE OF PETITIONS

In re :
Michael S. Pazar : DECISION REGARDING
Application No. 10/633,056 : PATENT TERM ADJUSTMENT
Filed: July 31, 2003 : AND NOTICE OF INTENT
Patent No. 7,131,237 : TO ISSUE CERTIFICATE
Issued: November 7, 2006 : OF CORRECTION

This decision is in response to the "REQUEST FOR REVIEW OF PATENT TERM ADJUSTMENT", filed September 1, 2006, requesting correction of the patent term adjustment (PTA) indicated on the patent.

The request is **GRANTED**.

The patent term adjustment indicated on the patent is to be corrected by issuance of a certificate of correction showing a revised Patent Term Adjustment of **one hundred thirty-four (134)** days.

The Office determined a patent term adjustment of one hundred thirty-six (136) days based on an adjustment for PTO delay of two (2) days and one hundred thirty-six (136) days pursuant to 35 U.S.C. 154(b)(1)(A)(ii) and 37 C.F.R. § 1.703(a)(2), reduced by two (2) days of applicant delay pursuant to 35 U.S.C. 154(b)(2)(C)(iii) and 37 C.F.R. § 1.704(b).

A review of the record indicates that the Office should not have been assessed two (2) days of delay in mailing an Office action on September 8, 2004. The Office action was mailed in response to an amendment filed on June 4, 2004. As such, the Office action was timely mailed within four months. Accordingly, no PTO delay should have been assessed for this mailing.

In view thereof, the correct determination of PTA is one hundred thirty-four (134) days (136 days of PTO delay, reduced by 2 days of applicant delay).

No fee has been charged. The Office thanks applicant for his good faith and candor in bringing this matter to the Office's attention.

The matter is being forwarded to the Certificates of Correction Branch for issuance of a certificate of correction in order to rectify the error regarding the patent term information. See 35 U.S.C. § 254 and 37 C.F.R. § 1.322. The certificate of correction will indicate that the term of the above-identified patent is extended or adjusted by **one hundred thirty-four (134)** days, subject to any disclaimers.

Telephone inquiries specific to this letter should be directed to Cliff Congo, Petitions Attorney, at (571)272-3207.



Kery Fries
Senior Legal Advisor
Office of Patent Legal Administration
Office of Deputy Commissioner
for Patent Examination Policy

Enc: draft Certificate of Correction

UNITED STATES PATENT AND TRADEMARK OFFICE
DRAFT CERTIFICATE OF CORRECTION

PATENT : 7,131,237 B2
DATED : November 7, 2006
INVENTOR(S) : Michael S. Pazar

It is certified that error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

On the cover page,

[*] Notice: Subject to any disclaimer, the term of this patent is extended or adjusted under 35 USC 154(b) by (136) days

Delete the phrase "by 136 days" and insert – by 134 days—

Day : Tuesday
Date: 11/21/2006

Time: 10:24:06

PALM INTRANET

PTA Calculations for Application: <u>10/633056</u>			
Application Filing Date:	07/31/2003	PTO Delay (PTO):	138
Issue Date of Patent:	11/07/2006	Three Years:	0
Pre-Issue Petitions:	0	Applicant Delay (APPL):	2
Post-Issue Petitions:	0	Total PTA (days):	134
PTO Delay Adjustment:	-2		

File Contents History						
Number	Date	Contents Description	PTO	APPL	START	END
55	11/21/2006	ADJUSTMENT OF PTA CALCULATION BY PTO		2		
51.5	10/18/2006	PTA 36 MONTHS				
51	11/07/2006	PATENT ISSUE DATE USED IN PTA CALCULATION				
50	10/12/2006	EXPORT TO FINAL DATA CAPTURE				
49	10/11/2006	DISPATCH TO FDC				
48	09/11/2006	FINISHED INITIAL DATA CAPTURE				
47	09/11/2006	APPLICATION IS CONSIDERED READY FOR ISSUE				
46	09/01/2006	STATEMENT FILED INDICATING A LOSS OF ENTITLEMENT TO SMALL ENTITY STATUS				
45	09/01/2006	ISSUE FEE PAYMENT VERIFIED				
44	09/01/2006	ISSUE FEE PAYMENT RECEIVED				
43	08/04/2006	EXPORT TO INITIAL DATA CAPTURE				
42	07/31/2006	MAIL NOTICE OF ALLOWANCE	136		34	
41	07/20/2006	ISSUE REVISION COMPLETED				
40	07/20/2006	NOTICE OF ALLOWANCE DATA VERIFICATION COMPLETED				
39	07/20/2006	NOTICE OF ALLOWABILITY				
38	12/10/2004	INFORMATION DISCLOSURE STATEMENT CONSIDERED				
37	12/10/2004	REFERENCE CAPTURE ON IDS				
36	12/10/2004	INFORMATION DISCLOSURE STATEMENT (IDS) FILED		0	24	
35	12/03/2005	DATE FORWARDED TO EXAMINER				
34	11/17/2005	RESPONSE AFTER NON-FINAL ACTION				
33	08/18/2005	MAIL NON-FINAL REJECTION				
32	08/16/2005	NON-FINAL REJECTION				

31	06/11/2005	DATE FORWARDED TO EXAMINER			
30	05/26/2005	RESPONSE AFTER NON-FINAL ACTION			
29	05/19/2005	REFERENCE CAPTURE ON IDS			
28	05/19/2005	INFORMATION DISCLOSURE STATEMENT (IDS) FILED			
27	03/02/2005	MAIL NON-FINAL REJECTION			
26	02/25/2005	NON-FINAL REJECTION			
25	12/28/2004	DATE FORWARDED TO EXAMINER			
24	12/10/2004	RESPONSE AFTER NON-FINAL ACTION	2	22	
23	12/10/2004	WORKFLOW INCOMING AMENDMENT IFW			
22	09/08/2004	MAIL NON-FINAL REJECTION	2	16	
21	09/07/2004	NON-FINAL REJECTION			
20	07/31/2003	CLAIMS PTO			
19	12/15/2003	PRELIMINARY AMENDMENT			
18	07/31/2003	PRELIMINARY AMENDMENT			
17	06/14/2004	DATE FORWARDED TO EXAMINER			
16	05/06/2004	RESPONSE TO ELECTION / RESTRICTION FILED			
15	06/04/2004	WORKFLOW INCOMING AMENDMENT IFW			
14	05/06/2004	MAIL RESTRICTION REQUIREMENT			
13	05/03/2004	REQUIREMENT FOR RESTRICTION / ELECTION			
12	04/02/2004	CASE DOCKETED TO EXAMINER IN GAU			
11	03/22/2004	CASE DOCKETED TO EXAMINER IN GAU			
10	02/26/2004	IFW TSS PROCESSING BY TECH CENTER COMPLETE			
9	02/23/2004	CASE DOCKETED TO EXAMINER IN GAU			
8	10/29/2003	APPLICATION RETURN FROM OIPE			
7	10/29/2003	APPLICATION RETURN TO OIPE			
6	10/29/2003	APPLICATION DISPATCHED FROM OIPE			
5	10/29/2003	APPLICATION IS NOW COMPLETE			
4	10/16/2003	CASE CLASSIFIED BY L&R			
3	10/16/2003	CLEARED BY OIPE CSR			
2	09/17/2003	IFW SCAN & PACR AUTO SECURITY REVIEW			
1	07/31/2003	INITIAL EXAM TEAM NN			

Search Another: Application#

EXPLANATION OF PTA CALCULATION

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